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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA,)
9)
Plaintiff,) Case No. CR04-360-RSL
10 v.) **PROPOSED FINDINGS OF FACT**
11) **AND DETERMINATION AS TO**
ALVIN SHANTEZ POTTS,) **ALLEGED VIOLATIONS OF**
12 Defendant.) **SUPERVISED RELEASE**

13 INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on January 15,
15 2010. The defendant appeared pursuant to a warrant issued in this case. The United States was
16 represented by Todd Greenberg, and defendant was represented by Kyana Stephens. Also
17 present was U.S. Probation Officer Carol Chavez. The proceedings were digitally recorded.

18 SENTENCE AND PRIOR ACTION

19 Defendant was sentenced on January 5, 2007 by the Honorable Robert S. Lasnik for Felon
20 in Possession of a Firearm. He received 28 months of detention and 36 months of supervised
21 release. Mr. Potts began his term of supervised release on November 11, 2009.

22 PRESENTLY ALLEGED VIOLATIONS

23 In a petition dated December 18, 2010, U.S. Probation Officer Michael Markham alleged

1 that defendant violated the following conditions of supervised release:

2 1. Failing to submit to drug testing on November 24, 2009, December 16, 2009, and
3 December 17, 2009 in violation of a general condition of supervision.

4 2. Failing to report to the probation office as instructed on December 18, 2009 in
5 violation of standard condition #2.

6 3. Failing to submit to a monthly supervision report for November 2009 in violation of
7 standard condition #2.

8 FINDINGS FOLLOWING EVIDENTIARY HEARING

9 Defendant admitted the above violations, waived any hearing as to whether they occurred,
10 and was informed the matter would be set for a disposition hearing on February 3, 2010 at 8:30
11 a.m. before District Judge Robert S. Lasnik.

12 RECOMMENDED FINDINGS AND CONCLUSIONS

13 Based upon the foregoing, I recommend the court find that defendant has violated the
14 conditions of his supervised release as alleged above, and conduct a disposition hearing.

15 DATED this 15th day of January, 2010.

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18 BRIAN A. TSUCHIDA
19 United States Magistrate Judge
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